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Amendment No. 1 to HB3090

**Armstrong
Signature of Sponsor**

AMEND Senate Bill No. 2854*

House Bill No. 3090

by deleting SECTION 1 thereof and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 63-5-108, is amended by deleting subdivisions (a)(1) through (5) in their entirety and by substituting instead the following:

(a) Any person is deemed to be practicing dentistry who:

(1) Diagnoses, prescribes for or treats any disease, pain, deformity, deficiency, injury or physical condition of the human teeth or jaws, or associated structures, and such diagnosis and treatment may include the use of a complete or limited physical evaluation of patients by a board eligible or board certified oral and maxillofacial surgeon or a resident in an approved oral and maxillofacial surgery program so long as such oral and maxillofacial surgeon or resident is practicing in a hospital setting;

(2) Extracts human teeth;

(3) Repairs or fills cavities in human teeth;

(4) Corrects malformations of human teeth or of the jaws;

(5) Performs any oral and maxillofacial surgery;

AND FURTHER AMEND by deleting SECTION 2 and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 63-5-112, is amended by deleting such section in its entirety and by substituting instead the following:

Section 63-5-112. No licensed dentist shall claim to the public to be a specialist, or be specially qualified in any particular branch of dentistry, or to be

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giving special attention to any branch of dentistry, or claim to limit the dentist's practice to any branch of dentistry, until that dentist has complied with the additional requirements established by the board, and has been issued a certificate by the board authorizing that dentist so to do. The board is authorized to certify "specialists" in the following branches of dentistry:

(1) Oral and maxillofacial surgery. The practice of oral and maxillofacial surgery is the specialty branch of dentistry which consists of the diagnosis, surgical and adjunctive treatment of diseases, injuries and defects involving the functional and esthetic aspects of the hard and soft tissues of the teeth, jaws and associated structures. It is comprised of: 1) trauma, 2) pathology, 3) orthognathic surgery, and, 4) reconstructive and esthetic surgery. For purposes of this subsection, trauma, pathology, orthognathic and reconstructive and esthetic procedures are strictly construed and defined as to the teeth, jaws and associated structures as follows:

(A) Trauma surgery includes tracheostomy, open and closed reductions of fractures of the mandible, maxilla, zygoma, nose, and repair of oral and facial soft tissue injuries and salivary ducts. And, trauma surgery also includes treatment of naso-frontal-orbital-ethmoidal structures when performed in consultation or in conjunction with a trauma team that includes a Title 63, Chapter 6 or 9 physician;

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(B) Pathology management includes temporomandibular joint pathology, cystectomy of bone and soft tissue, sialolithotomy, sialoadenectomy, management of infection, including incision and drainage procedures, and, sinus procedures incidental to, and necessary for, repair of the teeth, jaws and associated structures, and extra-cranial fifth nerve surgery and surgical management of benign neoplasms and initial management of malignant neoplasms of the hard and soft tissues of the teeth, jaws and associated structures;

(C) Orthognathic surgery includes the surgical correction of functional and esthetic maxillofacial deformities of the mandible, maxilla, zygoma, and Le Fort I procedures. This includes Le Fort II and III procedures when the oral and maxillofacial surgeon is acting as a member of a multi-specialty craniofacial surgical team that includes a Title 63 Chapter 6 or 9 physician.

(D) Reconstructive surgery includes hard and soft tissue grafting, insertion and management of implants, vestibuloplasties, augmentation procedures of the alveolus, temporomandibular joint reconstruction, and management of maxillary and mandibular continuity defects. Esthetic surgery includes genioplasty, and those orthognathic procedures listed in subsection 1(c) performed for purely cosmetic purposes.

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- (2) Orthodontics and dentofacial orthopedics;
- (3) Periodontics;
- (4) Prosthodontics;
- (5) Pediatric dentistry;
- (6) Endodontics;
- (7) Oral pathology; and
- (8) Any other branch of dentistry hereafter recognized and approved by it.